GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA

STARRED QUESTION NO:191
ANSWERED ON:03.03.2006
PENDING COURT CASES
Satpathy Shri Tathagata;Singh Shri Chandra Bhushan

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether a large number of civil, criminal and other cases are pending in Supreme Court and various High Courts;

(b) if so, the details thereof State-wise and duration of pendency-wise;

(c) the steps being taken by the Government to fill up the vacant posts of judges and for speedy disposal of long pending cases in courts;

(d) whether the Law Commission has suggested enactment of legislation to prevent filing of frivolous and vexatious litigations in courts and to ensure speedy disposal of other pending cases; and

(e) if so, the details thereof alongwith the reaction of the Government thereto?

Answer

MINISTER OF THE STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI H. R. BHARDWAJ)

(a)to(e) A statement is enclosed.

STATEMENT IN REPLY TO LOK SABHA STARRED QUESTION No.191 FOR 3.3.2006

(a) & (b) Two Statements showing the desired information are enclosed as Annexe-1 & Annexe-2.

(c) The judge strength of the High Courts is reviewed every three years. The next review of judge strength is due in 2006 for which action has already been initiated. The Government has been requesting the Chief Justices of the High Courts, Chief Ministers and the Governors of the States, from time to time, to initiate proposals for filling up of the present and anticipated vacancies during the next six months. The Central Government has also been periodically requesting the State Governments to fill up the vacancies in the subordinate judiciary.

In order to reduce pendency of cases Government has initiated a number of measures which include, timely filling the vacancies of judges, increasing the judge strength, grouping of cases, involving common question of law, constitution of specialized benches, organizing Lok Adalats at regular intervals encouraging alternative modes of dispute resolution like negotiation, mediation and arbitration, and setting up of special tribunals like Central Administrative Tribunals, State Administrative Tribunals, Income Tax Appellate Tribunals, Family Courts and Labour courts. The Government has extended the term of existing 1562 Fast Track Courts for another five years i.e. upto 31.3.2010 for clearing huge pendency of cases at District level.

(d) & (e) The Law commission in its 192nd Report on `Prevention of vexatious litigation` has made some suggestions regarding enactment of legislation to prevent filing of frivolous and vexatious litigations in courts. These recommendations are under examination in consultation with the concerned authorities.